

Symmes and Thomas M Cox and Thomas le Gower the Defendants and to one James Birnie also now deceased an undivided four (4) fifths interest in and to certain Real Estate in and around the City of Greenville in the County and State aforesaid and more particularly described in the Deed of Conveyance of that date and on the 30th day of September A.D. 1873 the said John Westfield agreed to sell the firm of Cox Birnie & Co (which was composed of himself and other parties last above named) certain other lots pieces or parcels of land in and near the said City of Greenville and County and State aforesaid and more particularly described in said agreement; and that the said parties who were interested in the lands above mentioned in order to facilitate the sale and transfer of said lands had agreed to and amongst themselves to convey all of the said lands in trust to two of their number to sell and divide the proceed of sale amongst the parties according to their respective interests and prayed amongst other things that these matters might be inquired into and if found advisable to carry out the said agreement by reference to trust Deed that a suitable trust Deed be reported together with some suitable person or persons to act as trustee or trustees; and whereas upon the said cause being heard on the 17th day of June A.D. 1874 it was referred to a special referee to report on the various matters embraced in the pleadings in said cause and upon the report of said special referee coming in containing the various recommendations therein more fully set forth it was on the 7th day of August A.D. 1874 amongst other things ordered that Whittier Symmes and Thomas le Gower be appointed Trustees to whom William W. McDaniel Clerk of the said Court, should convey the said lands to have and to hold the same, to, for and upon the purposes, uses and trusts, as set forth and declared in the deeds reported by the said Referee; and whereas the said William W. McDaniel Clerk as aforesaid did convey the lands mentioned in the pleadings to the said Trustees. Now therefore know all men by these presents that we Thomas le Gower and Whittier Symmes Trustees as aforesaid by virtue of the power conferred upon us, in and by the order and trust Deed aforesaid, upon the written request of the certain que. trust hereon endorsed and in performance of our duty as such trustees and also in consideration of the sum of Two hundred and fifty Dollars to us paid by August Sahuttes before the delivery of these presents have granted bargained sold and released and by these presents do grant bargain sell and release unto the said August Sahuttes all that piece parcel or lot of land here